

(2) In the case of vehicles obtaining recall repairs but remaining on the updated list provided in paragraph (a)(1) of this section, the State shall have a means of verifying completion of the required repairs; electronic records or paper receipts provided by the authorized repair facility shall be required. The vehicle inspection or registration record shall be modified to include (or be supplemented with other VIN-linked records which include) the recall campaign number(s) and the date(s) repairs were performed. Documentation verifying required repairs shall include the following:

(i) The VIN, make, and model year of the vehicle; and

(ii) The recall campaign number and the date repairs were completed.

(c) *Reporting requirements.* The State shall submit to EPA, by July of each year for the previous calendar year, an annual report providing the following information:

(1) The number of vehicles in the I/M area initially listed as having unresolved recalls, segregated by recall campaign number;

(2) The number of recalled vehicles brought into compliance by owners;

(3) The number of listed vehicles with unresolved recalls that, as of the end of the calendar year, were not yet due for inspection or registration;

(4) The number of recalled vehicles still in non-compliance that have either failed inspection or been denied registration on the basis of non-compliance with recall; and

(5) The number of recalled vehicles that are otherwise not in compliance.

(d) *SIP submittals.* The SIP shall describe the procedures used to incorporate the vehicle lists provided in paragraph (a)(1) of this section into the inspection or registration database, the quality control methods used to insure that recall repairs are properly documented and tracked, and the method (inspection failure or registration denial) used to enforce the recall requirements.

§ 51.371 On-road testing.

On-road testing is defined as testing of vehicles for conditions impacting the emission of HC, CO, NO_x and/or CO₂ emissions on any road or roadside in

the nonattainment area or the I/M program area. On-road testing is required in enhanced I/M areas and is an option for basic I/M areas.

(a) *General requirements.* (1) On-road testing is to be part of the emission testing system, but is to be a complement to testing otherwise required.

(2) On-road testing is not required in every season or on every vehicle but shall evaluate the emission performance of 0.5% of the subject fleet statewide or 20,000 vehicles, whichever is less, per inspection cycle.

(3) The on-road testing program shall provide information about the performance of in-use vehicles, by measuring on-road emissions through the use of remote sensing devices or by assessing vehicle emission performance through roadside pullovers including tailpipe or evaporative emission testing or a check of the onboard diagnostic (OBD) system for vehicles so equipped. The program shall collect, analyze and report on-road testing data.

(4) Owners of vehicles that have previously been through the normal periodic inspection and passed the final retest and found to be high emitters shall be notified that the vehicles are required to pass an out-of-cycle follow-up inspection; notification may be by mailing in the case of remote sensing on-road testing or through immediate notification if roadside pullovers are used.

(b) *SIP requirements.* (1) The SIP shall include a detailed description of the on-road testing program, including the types of testing, test limits and criteria, the number of vehicles (the percentage of the fleet) to be tested, the number of employees to be dedicated to the on-road testing effort, the methods for collecting, analyzing, utilizing, and reporting the results of on-road testing and, the portion of the program budget to be dedicated to on-road testing.

(2) The SIP shall include the legal authority necessary to implement the on-road testing program, including the authority to enforce off-cycle inspection and repair requirements (where applicable).

(3) Emission reduction credit for on-road testing programs shall be granted for a program designed to obtain measurable emission reductions over and

above those already predicted to be achieved by other aspects of the I/M program. Emission reduction credit will only be granted to those programs which require out-of-cycle repairs for confirmed high-emitting vehicles identified under the on-road testing program. The SIP shall include technical support for the claimed additional emission reductions.

[57 FR 52987, Nov. 5, 1992, as amended at 65 FR 45535, July 24, 2000]

§ 51.372 State Implementation Plan submissions.

(a) *SIP submittals.* The SIP shall address each of the elements covered in this subpart, including, but not limited to:

(1) A schedule of implementation of the program including interim milestones leading to mandatory testing. The milestones shall include, at a minimum:

- (i) Passage of enabling statutory or other legal authority;
- (ii) Proposal of draft regulations and promulgation of final regulations;
- (iii) Issuance of final specifications and procedures;
- (iv) Issuance of final Request for Proposals (if applicable);
- (v) Licensing or certifications of stations and inspectors;
- (vi) The date mandatory testing will begin for each model year to be covered by the program;
- (vii) The date full-stringency cutpoints will take effect;
- (viii) All other relevant dates;

(2) An analysis of emission level targets for the program using the most current EPA mobile source emission model or an alternative approved by the Administrator showing that the program meets the performance standard described in § 51.351 or § 51.352 of this subpart, as applicable;

(3) A description of the geographic coverage of the program, including ZIP codes if the program is not county-wide;

(4) A detailed discussion of each of the required design elements, including provisions for Federal facility compliance;

(5) Legal authority requiring or allowing implementation of the I/M program and providing either broad or spe-

cific authority to perform all required elements of the program;

(6) Legal authority for I/M program operation until such time as it is no longer necessary (i.e., until a Section 175 maintenance plan without an I/M program is approved by EPA);

(7) Implementing regulations, inter-agency agreements, and memoranda of understanding; and

(8) Evidence of adequate funding and resources to implement all aspects of the program.

(b) *Submittal schedule.* The SIP shall be submitted to EPA according to the following schedule—

(1) [Reserved]

(2) A SIP revision required as a result of designation for a National Ambient Air Quality Standard in place prior to implementation of the 8-hour ozone standard and including all necessary legal authority and the items specified in paragraphs (a)(1) through (a)(8) of this section, shall be submitted no later than November 15, 1993. For non-attainment areas designated and classified under the 8-hour ozone standard, a SIP revision including all necessary legal authority and the items specified in paragraphs (a)(1) through (a)(8) of this section, shall be submitted by May 8, 2007 or 1 year after the effective date of designation and classification under the 8-hour ozone National Ambient Air Quality Standard, whichever is later.

(3) [Reserved]

(c) *Redesignation requests.* Any non-attainment area that EPA determines would otherwise qualify for redesignation from nonattainment to attainment shall receive full approval of a State Implementation Plan (SIP) submittal under Sections 182(a)(2)(B) or 182(b)(4) if the submittal contains the following elements:

(1) Legal authority to implement a basic I/M program (or enhanced if the State chooses to opt up) as required by this subpart. The legislative authority for an I/M program shall allow the adoption of implementing regulations without requiring further legislation.

(2) A request to place the I/M plan (if no I/M program is currently in place or if an I/M program has been terminated,) or the I/M upgrade (if the existing I/M program is to continue without being upgraded) into the contingency